

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON APPROPRIATIONS**

**Call to Order:** By **CHAIRMAN TOM ZOOK**, on March 3, 1999 at 8:00 A.M., in Room 312 - 2 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Tom Zook, Chairman (R)  
Rep. Joe Quilici, Vice Chairman (D)  
Rep. Steve Vick, Vice Chairman (R)  
Rep. Beverly Barnhart (D)  
Rep. Ernest Bergsagel (R)  
Rep. Peggy Bergsagel (R)  
Rep. Rosalie (Rosie) Buzzas (D)  
Rep. John Cobb (R)  
Rep. Stan Fisher (R)  
Rep. Dick Haines (R)  
Rep. Royal Johnson (R)  
Rep. Betty Lou Kasten (R)  
Rep. Matt McCann (D)  
Rep. Red Menahan (D)  
Rep. Ray Peck (D)  
Rep. Lila Taylor (R)  
Rep. Joe Tropila (D)  
Rep. John Witt (R)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Joanne Gunderson, Committee Secretary  
Taryn Purdy, Legislative Fiscal Division  
Clayton Schenck, Legislative Fiscal Division

**Please Note:** These are summary minutes. Testimony and discussion are paraphrased and condensed.

**Committee Business Summary:**

Hearing(s) & Date(s) Posted: HB 2, 2/22/1999  
Executive Action: HB 2

COMMENT

Each day of the four days of hearings on HB 2 are treated individually in terms of Tape Numbers, Exhibits, Roll Call Votes and Executive Action. However, the meetings were recessed and final adjournment is recorded on the last day (3/5/99).

HEARING ON HB 2

**Motion/Vote:** REP. COBB moved TO PUT THE LANGUAGE OF GOALS OF DEPARTMENT IN THE NARRATIVE. Motion failed 6-8 by Roll Call Vote (#1).

*{Tape : 1; Side : A; Approx. Time Counter : 15 - 44}*

**Motion:** REP. P. BERGSAGEL moved that HB 2 BE AMENDED (aph48a01)

*{Tape : 1; Side : A; Approx. Time Counter : 44 - 52}*

Discussion:

*{Tape : 1; Side : A; Approx. Time Counter : 52 - EXHIBIT (aph48a02)}*

Rep. P. Bergsagel withdrew the motion.

**Motion:** REP. COBB moved that HB 2 BE AMENDED. EXHIBIT (aph48a03)

*{Tape : 1; Side : A; Approx. Time Counter : 127 - 131}*

Discussion:

*{Tape : 1; Side : A; Approx. Time Counter : 131 - 340}*

**Vote:** Motion carried 14-3 with P. Bergsagel, McCann, and Vick voting no.

*{Tape : 1; Side : A; Approx. Time Counter : 340 - 362}*

**Motion:** REP. BERGSAGEL moved that HB 2 BE AMENDED according to Exhibits 1 and 2.

Discussion:

*{Tape : 1; Side : A; Approx. Time Counter : 362 - Side : B;*

*Approx. Time Counter : 54; Comments : Rep. P. Bergsagel withdrew the amendment.}*

Informational Testimony:

Rep. Kasten opened the discussion on subsection 33.

*{Tape : 1; Side : B; Approx. Time Counter : 59 - 79}*

Informational Testimony:

Rep. Kasten opened the discussion on subsections 34 and 35.

*{Tape : 1; Side : B; Approx. Time Counter : 79 - 104}*

Questions and Responses:

{Tape : 1; Side : B; Approx. Time Counter : 104 - 143}

Informational Testimony:

Rep. Kasten opened discussion on subsections 36 through 39.

{Tape : 1; Side : B; Approx. Time Counter : 143 - 204}

Questions and Responses:

{Tape : 1; Side : B; Approx. Time Counter : 204 - Tape : 2; Side : A; Approx. Time Counter : 177}

Informational Testimony:

Rep. Kasten opened discussion on subsections 40 through 44.

{Tape : 2; Side : A; Approx. Time Counter : 177 - 250}

Questions and Responses:

{Tape : 2; Side : A; Approx. Time Counter : 250 - 496}

Informational Testimony:

Rep. Kasten opened discussion on subsections 46 through 51.

{Tape : 2; Side : B; Approx. Time Counter : 0 - 67}

Discussion:

{Tape : 2; Side : B; Approx. Time Counter : 67 - 181}

Motion/Vote: REP. KASTEN moved that HB 2 BE AMENDED. Motion carried 17-1 with P. Bergsagel voting no. **EXHIBIT**(aph48a04)

{Tape : 2; Side : B; Approx. Time Counter : 181 - 199}

Motion/Vote: REP. KASTEN moved that HB 2 BE AMENDED. Motion carried unanimously. **EXHIBIT**(aph48a05)

{Tape : 2; Side : B; Approx. Time Counter : 199 - 201}

Motion: REP. COBB moved that HB 2 BE AMENDED. **EXHIBIT**(aph48a06)

{Tape : 2; Side : B; Approx. Time Counter : 201 - 240}

Discussion:

{Tape : 2; Side : B; Approx. Time Counter : 240 - 395}

Vote: Motion failed 7-11 by Roll Call Vote (#2).

{Tape : 2; Side : B; Approx. Time Counter : 395 - 400}

Motion: REP. BARNHART moved that HB 2 BE AMENDED. **EXHIBIT**(aph48a07)

{Tape : 2; Side : B; Approx. Time Counter : 400 - 436}

Discussion:

*{Tape : 2; Side : B; Approx. Time Counter : 436 - Tape : 3; Side : A; Approx. Time Counter : 125}*

Vote: Motion failed 5-13 by Roll Call Vote (#3).  
*{Tape : 3; Side : A; Approx. Time Counter : 125 - 129}*

Informational Testimony:

Rep. Kasten opened discussion on subsections 51 through 55.  
*{Tape : 3; Side : A; Approx. Time Counter : 129 - 198}*

Questions and Responses:

*{Tape : 3; Side : A; Approx. Time Counter : 198 - Side : B; Approx. Time Counter : 420}*

Informational Testimony:

Rep. Kasten opened discussion on subsection 56.  
*{Tape : 3; Side : B; Approx. Time Counter : 420 - 443}*

Motion: REP. COBB moved that HB 2 BE AMENDED. **EXHIBIT**(aph48a08)  
*{Tape : 3; Side : B; Approx. Time Counter : 443 - 450}*

Discussion:

*{Tape : 4; Side : A; Approx. Time Counter : 0 - 140}*

Vote: Motion failed 7-11 by Roll Call Vote (#4).  
*{Tape : 4; Side : A; Approx. Time Counter : 140 - 148}*

Motion: REP. KASTEN moved that HB 2 BE AMENDED. **EXHIBIT**(aph48a09)  
*{Tape : 4; Side : A; Approx. Time Counter : 148 - 163}*

Discussion:

*{Tape : 4; Side : A; Approx. Time Counter : 163 - 230}*

Vote: Motion failed 5-13 by Roll Call Vote (#5).  
*{Tape : 4; Side : A; Approx. Time Counter : 230 - 239}*

Motion: REP. COBB moved that HB 2 BE AMENDED. **EXHIBIT**(aph48a10)  
*{Tape : 4; Side : A; Approx. Time Counter : 239 - 273}*

Discussion:

*{Tape : 4; Side : A; Approx. Time Counter : 273 - 280}*

Substitute Motion: REP. FISHER made a substitute motion **THAT A TRANSITION TEAM COME WITH AN INTERIM AMOUNT NEEDED.**

*{Tape : 4; Side : A; Approx. Time Counter : 280 - 291}*

Discussion:

*{Tape : 4; Side : A; Approx. Time Counter : 291 - 450; Comments : Rep. Fisher withdrew the substitute motion.}*

Vote: Motion on Cobb amendment (Exhibit 10) failed 8-10 by Roll Call Vote (#6).

*{Tape : 4; Side : A; Approx. Time Counter : 321 - 490; Comments : The committee recessed until 3 PM.}*

Motion/Vote: REP. KASTEN moved that HB 2 BE AMENDED on page B-2, line 12 of the bill following "OTO", insert "biennium". Motion carried unanimously.

*{Tape : 4; Side : B; Approx. Time Counter : 6 - 24}*

Motion: REP. COBB moved that HB 2 BE AMENDED. EXHIBIT(aph48a11)

*{Tape : 4; Side : B; Approx. Time Counter : 24 - EXHIBIT(aph48a12)}*

Discussion: EXHIBIT(aph48a13)

*{Tape : 4; Side : B; Approx. Time Counter : 75 - 190}*

Vote: Motion (amendment, Exhibit 11) carried 10-7 by Roll Call Vote (#7).

Substitute Motion: REP. COBB made a substitute motion TO STRIKE 74,500 AND INSERT 50,000 ON EXHIBIT 12 AMENDMENT FOLLOWING LINE 8.

Discussion:

*{Tape : 4; Side : B; Approx. Time Counter : 190 - 245}*

Vote: Motion(amendment, Exhibit 12) failed 8-9 by Roll Call Vote (#8).

*{Tape : 4; Side : B; Approx. Time Counter : 245 - 251}*

Motion: REP. BARNHART moved that HB 2 BE AMENDED EXHIBIT(aph48a14)

Discussion:

*{Tape : 4; Side : B; Approx. Time Counter : 251 - 362}*

Vote: Motion carried unanimously.

*{Tape : 4; Side : B; Approx. Time Counter : 362 - 367}*

Motion/Vote: REP. COBB moved that HB 2 BE AMENDED. Motion carried unanimously. EXHIBIT(aph48a15)

Motion/Vote: REP. COBB moved that HB 2 BE AMENDED. Motion carried 15-1, Kasten voting no (Reps. Johnson and Menahan were absent. EXHIBIT(aph48a16)

*{Tape : 4; Side : B; Approx. Time Counter : 367 - 448}*

**Motion:** REP. VICK moved an amendment to HB 2 that would **RESTRICT PERSONAL SERVICES THROUGHOUT THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES TO BE USED ONLY FOR THAT FUNCTION.**

*{Tape : 4; Side : B; Approx. Time Counter : 448 - 453}*

**Discussion:**

*{Tape : 4; Side : B; Approx. Time Counter : 453 - 499}*

**Vote:** Motion carried 12-4 with Buzzas, Haines, Quilici, and Tropila voting no.

*{Tape : 5; Side : A; Approx. Time Counter : 0 - 24}*

**Motion:** REP. COBB moved that HB 2 BE AMENDED. **EXHIBIT**(aph48a17)

*{Tape : 5; Side : A; Approx. Time Counter : 24 - ~~EXHIBIT~~(aph48a18)}*

**Discussion:**

*{Tape : 5; Side : A; Approx. Time Counter : 37 - 103}*

**Vote:** Motion carried unanimously. *{Tape : 5; Side : A; Approx. Time Counter : 103 - 109}*

**Motion/Vote:** REP. COBB moved that HB 2 BE AMENDED. Motion carried unanimously. **EXHIBIT**(aph48a19)

*{Tape : 5; Side : A; Approx. Time Counter : 109 - 159; Comments : On Exhibit 19, #4, change line 8 to line 10.}*

**Motion:** REP. COBB moved that HB 2 BE AMENDED. **EXHIBIT**(aph48a20)

*{Tape : 5; Side : A; Approx. Time Counter : 159 - 211}*

**Discussion:**

*{Tape : 5; Side : A; Approx. Time Counter : 211 - 325}*

**Vote:** Motion carried 10-8 by Roll Call Vote (#9).

*{Tape : 5; Side : A; Approx. Time Counter : 325 - 365}*

**Motion:** REP. COBB moved that HB 2 BE AMENDED. **EXHIBIT**(aph48a21)

*{Tape : 5; Side : A; Approx. Time Counter : 365 - 380; Comments : Rep. Cobb withdrew the amendment. Exhibit 22 is a supporting document.}* **EXHIBIT**(aph48a22)

**Motion:** REP. BUZZAS moved that HB 2 BE AMENDED. **EXHIBIT**(aph48a23)

*{Tape : 5; Side : A; Approx. Time Counter : 380 - 420}*

**Discussion:**

*{Tape : 5; Side : A; Approx. Time Counter : 420 - 448}*

Vote: Motion failed 8-10 by Roll Call Vote (#10).  
{Tape : 5; Side : A; Approx. Time Counter : 448 - 455}

Motion/Vote: REP. COBB moved that HB 2 BE AMENDED. Motion carried 13-5 with Johnson, Kasten, Quilici, Vick, and Zook voting no. **EXHIBIT** (aph48a24)  
{Tape : 5; Side : B; Approx. Time Counter : 0 - 23}

Motion: REP. JOHNSON moved TO ADD \$50 PER YEAR FOR AIDS RESEARCH AND CHANGE THE AMOUNTS ON LINE 20 (revised Exhibit 23).  
{Tape : 5; Side : B; Approx. Time Counter : 23 - 25}

Discussion:  
{Tape : 5; Side : B; Approx. Time Counter : 25 - 101}

Vote: Motion failed 9-9 by Roll Call Vote (#11).  
{Tape : 5; Side : B; Approx. Time Counter : 101 - 157; Comments : Further discussion followed.}

Closing by Subcommittee Chairperson:

Motion/Vote: REP. KASTEN moved TO CLOSE SECTION B OF HB 2. Motion carried 16-2 with E. Bergsagel and Cobb voting no.

#### HEARING ON SECTION A OF HB 2

Informational Testimony:  
Rep. Lila Taylor opened discussion on section A of HB 2.  
{Tape : 5; Side : B; Approx. Time Counter : 170 - 225}

Motion/Vote: REP. TAYLOR moved that HB 2 BE AMENDED. Motion carried unanimously. **EXHIBIT** (aph48a25)  
{Tape : 5; Side : B; Approx. Time Counter : 225 - 259}

Informational Testimony:  
Rep. Taylor continued with section A of HB 2.  
{Tape : 5; Side : B; Approx. Time Counter : 259 - 294}

Questions and Responses:  
{Tape : 5; Side : B; Approx. Time Counter : 294 - Tape : 6; Side : A; 8}

Motion/Vote: REP. E. BERGSAGEL moved TO REMOVE \$75,000 FOR PILOT PROGRAM FOR COMPUTERS IN SENATE AND HOUSE (DP2006). Motion carried 10-8 by Roll Call Vote (#12).  
{Tape : 6; Side : A; Approx. Time Counter : 8 - 40}

Questions and Responses:

{Tape : 6; Side : A; Approx. Time Counter : 40 - Side : B;  
Approx. Time Counter : 18}

Informational Testimony

Rep. Taylor opened discussion on subsection 7 language, and  
subsections 10 through 15.

Questions and Responses:

{Tape : 6; Side : B; Approx. Time Counter : 18 - 251; Comments :  
Chairman Zook left, Vice Chairman Vick assumed the chair.}

Motion: REP. TAYLOR moved that HB 2 BE AMENDED. **EXHIBIT** (aph48a26)  
{Tape : 6; Side : B; Approx. Time Counter : 251 - 275}

Discussion:

{Tape : 6; Side : B; Approx. Time Counter : 275 - Tape : 7; Side  
: A; Approx. Time Counter 25; Comments : Rep. Barnhart asked that  
the amendment be segregated and to vote on item #2 first.}

Motion/Vote: REP. BARNHART moved that ITEM 2 OF EXHIBIT 26 BE  
ADOPTED. Motion carried 17-1 with E. Bergsagel voting no.  
{Tape : 7; Side : A; Approx. Time Counter : 25 - 33}

Motion: REP. BARNHART moved that ITEM #1 OF EXHIBIT 26 BE  
ADOPTED.  
{Tape : 7; Side : A; Approx. Time Counter : 33 - 40}

Discussion:

{Tape : 7; Side : A; Approx. Time Counter : 40 - 193}

Vote: Motion carried 11-7 by Roll Call Vote (#13).

{Tape : 7; Side : A; Approx. Time Counter : 193 - 195; Comments :  
The committee recessed until 8 AM 3/4/99.}



**ADJOURNMENT**

Recessed at: 6:15 P.M.

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REP. TOM ZOOK, Chairman

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JOANNE GUNDERSON, Secretary

TZ/JG

**EXHIBIT (aph48aad)**